

Franklin County Council August 28, 2007
County Council meeting room @ 9:00 a.m.

Those present:

Donald "Butch" Williams
Brad Spurlock
Hollie Sintz
Kenneth Rosenberger
Jeff Koch
Martha Bergman
Carroll Lanning

Elected officials:

Judge J. Steven Cox
Thomas Wilson
Don Vonder Meulen
Eric Roberts
Rebecca Oglesby

Franklin County Auditor
Carol L. Monroe

*Donald "Butch" Williams opens meeting to with the Pledge of Allegiance and calls meeting to order. Moves meeting to Room #101 (next to Auditor office)

I. Minutes (July)

- a. Donald "Butch" Williams – did not call meeting to order
- b. Hollie Sintz – motion change minutes
- c. Brad Spurlock – seconds the motion
- d. Donald "Butch" Williams – all in favor
- e. Carroll Lanning – motion to approve
- f. Kenneth Rosenberger – seconds the motion
- g. Donald "Butch" Williams – all in favor

II. Commissioner Lawsuit

- a. Don Vonder Meulen – not sure where to begin. Want to continue discussion today (from last meeting) since it was postponed due to Butch not being there
- b. Carroll Lanning – since the last meeting, I have been around the county talking to people, as the majority of the people said you knew what it was when you were going in. Maybe those people who wanted you to come in early (as you were quoted in the paper) maybe they should help you pay for your lawsuit
- c. Brad Spurlock – we could sit here all day and say what if.
- d. Donald "Butch" Williams – the decision was made by Judge Snow. If you notice in the papers that were filed that law is quoted on several instances. On line 8 paragraph 8 it goes from stating law to stating a case. That is what a law is-what we are here to decide today whether or not we are going to pay your attorney fees. There is nothing in here that says we do or don't have to pay your attorney fees. If we make the decision to pay or not to pay we set a precedent. If we set the precedent we are going to pay the attorney fees for both sides, we are opening the county up for a flood of attorney fees because it will not cost them anything. You said Lou's fees were paid out of courtesy, I disagree. We weren't paying the fees because of Lou; we were paying because we were defending an office of Franklin County. I don't think we should pay the attorney fees.
- e. Don Vonder Meulen – since the last meeting, the commissioners had a meeting with our attorney. He made three statements 1-Marlene probably did not need an attorney, 2-the county should not have paid Lou's attorney fees, 3-it would be a legal thing to do for the county to do to pay my attorney fees. It would be equitable. It boggles my mind why we didn't come to an equitable conclusion (between me and Lou). Because of the action the county decided to take, it created a situation where it was a hardship for me. That is why I put in my claim for attorney fees.
- f. Donald "Butch" Williams – I disagree
- g. Kenneth Rosenberger – I totally disagree, and I haven't talked to anyone who is willing to cough up money for your legal fees
- h. Carroll Lanning – I disagree
- i. Kenneth Rosenberger – motion not to approve money for legal fees
- j. Jeff Koch – seconds the motion
- k. Donald "Butch" Williams – all in favor; (Hollie Sintz-abstained), motion carried. We have tried that one enough. Let's try and get something done for the county.

III. Amended Salary **Ordinance 2007-16**

- a. Donald "Butch" Williams – reads amendments. This, I would like to see an actual figure. Reads payroll voucher- 901.55 biweekly. We could approve it the way it is and amend it again if you wanted
- b. Jeff Koch – move to accept ordinance
- c. Carroll Lanning – seconds the motion
- d. Donald "Butch" Williams – all in favor; motion carried

IV. Loan to Health **Resolution 2007-24**

- a. Donald "Butch" Williams – reads resolution
- b. Carroll Lanning – motion to accept resolution
- c. Jeff Koch – seconds the motion
- d. Donald "Butch" Williams-all in favor; motion carried.

V. Transfer of funds **Resolution 2007-22**

- a. Donald "Butch" Williams – reads resolutions
- b. Hollie Sintz – if we don't hear anything back from the state, what are we going to do-there are bills I am holding?
- c. Judge J. Steven Cox – we did an additional appropriations out of user fees (and reimbursed back by county general), can that not be done or just issue and order
- d. Carol L. Monroe – issue the order
- e. Donald "Butch" Williams – yes, it can-agrees for Judge to issue order

- f. Judge J. Steven Cox – the only place we are strapped is in the pauper council
 - g. Hollie Sintz – we have to buy gas and diesel. The only place I have money is salaries
 - h. Donald "Butch" Williams – I wouldn't tap into salary
 - i. Rebecca Oglesby – can you tap into major moves money since it is not tax money?
 - j. Kenneth Rosenberger – move to accept resolution
 - k. Brad Spurlock – seconds the motion
 - l. Donald "Butch" Williams – all in favor; motion carried
- VI. Additional appropriations
- a. Donald "Butch" Williams – reads resolution. I think everyone is using their user funds.
 - b. Judge J. Steven Cox - can pay out of user fees, and then county general will have to reimburse
 - c. Brad Spurlock – questions S.A.C. office
 - d. Susan Jones – it is to build a wall/petition off old dog pound
 - e. Donald "Butch" Williams – (move on) one at a time
 - f. Hollie Sintz – there are certain things we legally have to pay. Why didn't these people come back and say, you cut me so bad I can't function
 - g. Susan Jones – because you went back to 2005
 - h. Jeff Koch – on this computer equipment, he is going to order it
 - i. Carol L. Monroe – my understanding is it is up and running
 - j. Jeff Koch – that is not my problem
 - k. Judge J. Steven Cox – council has made it very clear of your expectations
 - l. Carroll Lanning – move to accept only Judge's additional out of county general and the \$1,100.00 SAC
 - m. Jeff Koch – seconds the motion
 - n. Donald "Butch" Williams – all in favor
 - o. Hollie Sintz – move to approve cum cap, operation pullover, government center, tower maintenance., Co ID protection, ITPC grant, tobacco money, and EMA ODP
 - p. Carroll Lanning – seconds the motion
 - q. Donald "Butch" Williams – all in favor; motion carried
- VII. EMA Lawsuit update
- a. Thomas Wilson – rainy day fund all used up and we have another \$17,000.00 in bills we can't pay.
 - b. Eric Roberts – Reedy and Ferman has been paid. We had a conference call and their experts refute what ours is saying. They honestly believe we have the ability to pay. Our attorney is ready to go to court.
- VIII. Adjourn
- a. Brad Spurlock
 - b. Hollie Sintz
 - c. Donald "Butch" Williams – adjourned

Those also present:

Susan Jones, Secretary

Cathy Pelsor

John O. Worth, Attorney

To be approved 09/25/07